

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 UNITED STATES OF AMERICA, )  
10 Plaintiff, )  
11 v. )  
12 MICHAEL WILLIAMS, KYU PYO HAN, ) Case No. CR05-265-RSM-JPD  
and MAN SUP WOO, )  
13 Defendants. ) DETENTION ORDER  
14 \_\_\_\_\_ ) Material Witness  
15 In re Material Witness: )  
16 JI WOO CHOI )  
\_\_\_\_\_ )

18 || Offense charged: Material Witness

19 | Date of Detention Hearing: July 21, 2005

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f) and  
21 3144, and based upon the factual findings and statement of reasons hereafter set forth, finds that  
22 detention is necessary to adequately secure the testimony of the material witness, and to prevent  
23 a failure of justice.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Mr. Choi was arrested on a material witness warrant in the matter of United States v. Michael Williams, et al., CR05-0265-RSM, upon a finding that it was impracticable to secure

01 his presence by subpoena. He made his initial appearance in this Court on July 15, 2005.

02 (2) The United States has moved to detain Mr. Choi pursuant to 18 U.S.C. § 3144 for  
03 a reasonable period until his deposition can be taken pursuant to the Federal Rules of Criminal  
04 Procedure.

05 (3) There is an immigration detainer lodged against the witness.

06 (4) The material witness is a citizen and resident of South Korea.

07 (5) There is no information available regarding the material witness's personal  
08 history, residence, family ties, or ties to the Western District of Washington, income, financial  
09 assets or liabilities, physical or mental health, or controlled substance use if any.

10 (6) The material witness is viewed as a risk of nonappearance based on his unknown  
11 background information and lack of information about any ties to this community or to the  
12 Western District of Washington.

13 (7) The Court finds that further detention is necessary to prevent a failure of justice.  
14 The material witness will be detained until his testimony can adequately be secured.

15 It is therefore ORDERED:

16 (1) The material witness shall be detained pending the taking of his testimony and  
17 committed to the custody of the Attorney General for confinement in a correction  
18 facility separate, to the extent practicable, from persons awaiting or serving  
19 sentences or being held in custody pending appeal;

20 (2) The material witness shall be afforded reasonable opportunity for private  
21 consultation with counsel;

22 (3) On order of a court of the United States or on request of an attorney for the  
23 Government, the person in charge of the corrections facility in which material  
24 witness is confined shall deliver the material witness to a United States Marshal  
25 for the purpose of an appearance in connection with a court proceeding or for  
26 providing testimony in connection with a case pending in this court; and

01 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
02 counsel for the material witness, to the United States Marshal, and to the United  
03 States Pretrial Services Officer.

04 DATED this 22nd day of July, 2005.

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07 JAMES P. DONOHUE  
08 United States Magistrate Judge  
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